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C O N F I D E N T I A L SECTION 01 OF 03 ROME 000437

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SUBJECT: NO MORE MR. NICE GUY (I): INEFFECTIVE ITALIAN
RESPONSE TO IMMIGRATION CHALLENGES

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Classified By: Charge d'Affaires Elizabeth L. Dibble for reasons 1.4 (b)
) and (d).

Summary

1. (SBU) Recent tragic reports of boatloads of African immigrants crossing from Libya to Lampedusa, a 12 square mile island off of the coast of Sicily, have transfixed local, regional and international audiences. The arrivals have accelerated a law and order approach to irregular immigration promised by Prime Minister Berlusconi during his election campaign in 2008 and distilled in the recent public promise to "be mean to illegal immigrants" by Interior Minister Maroni, a leader in the anti-immigration Northern League political party. But forceful public diplomacy, new and reinvigorated bilateral repatriation agreements with source countries, outreach to the EU, extended detention of irregular immigrants and tough security legislation have failed to stop the flows of irregular immigrants. The dramatic plight of the boat people, most of whom are undocumented, masks the fact that they constitute less than 15 percent of total arrivals of irregular migrants (although there was a 75 percent surge in the number of immigrants arriving by boat in 2008 and the trend line in the first quarter of 2009 appears constant). The majority of irregular immigrants present in Italy -- estimated to number up to 650,000 but the number is likely even higher -- arrive by land, air or sea. Arriving from non-EU countries, primarily Morocco, Albania, China, Ukraine and the Philippines, they have obtained visitors visas and overstay, encouraged by Italy's porous borders and history of "regularizing" illegal immigrants. Although Italy successfully expelled some 25,000 persons in 2008, a majority of expulsion orders are not executed because of a lack of resources; Italy has less than 3,000 available beds for detention. In addition to the irregular migrants from non-EU countries, Italy is a popular destination for migrants from Eastern European countries such as Romania and Bulgaria, whose citizens are able to move freely following EU accession in 2007.

2. (SBU) Frustrated by the non-stop flow of migrants to and through Italy, government officials complain privately about Libya's complicity in the trafficking of refugees and the

failure of the EU to do more to help the southern tier states cope with the problem. They have mounted an aggressive diplomatic campaign with affected states to win their cooperation in limiting irregular flows to Italy, including hosting a conference April 16-17 for police chiefs of 72 nations. Although Interior Ministry officials have told the embassy that they believe there is little terrorist threat from irregular immigrants, and government statistics reveal an overall drop in crime in all major Italian cities in 2008, Prime Minister Berlusconi, Interior Minister Maroni, other senior officials, and the Italian press (of which Berlusconi controls a majority) continuously hype a connection between crime and terrorism and illegal immigrants. Critics of the government's approach argue that Italy needs a comprehensive integration policy that acknowledges the demographic changes in Italian society -- an aging population, a declining birth rate and the presence of some four million foreign residents in a population of 60 million. They argue that immigration should be treated as a resource, not a threat, and fear that scapegoating irregular immigrants will radicalize Italy's ""second generation"" of legal migrants, including more than one million Muslim immigrants.

13. (SBU) This is the first in a series of three reporting cables on immigration in Italy. This first reporting cable describes the current situation. The second reports on the government's reaction to the immigration challenge. The third examines concerns about the limitations of the government's approach and previews the outlook for the future.

Current Situation: Rubbery Statistics

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14. (SBU) Statistics. In defining the immigration picture in Italy, government and NGO statistics generally agree that in 2008 Italy had 3, 433,000 resident legal immigrants out of a total population of 59,619,290 people. In addition, there are 767,000 immigrant children under the age of 18. Another 250,000 persons have applied for legal status. (Note: According to Italy's citizenship law, a foreigner born in Italy cannot apply for citizenship until the age of 18. A legal resident must wait ten years before applying for citizenship. Neither category is permitted to travel outside of Italy during these waiting periods. On the other hand, foreigners who marry Italian citizens can acquire citizenship in a relatively straightforward process. Given the overall difficulties in acquiring Italian citizenship, a significant number of legal immigrants are not citizens. Rather they possess residence permits, typically tied to employment, issued by the government. End note.) Of these approximately four million legal immigrants, the charity Sant'Egidio estimates up to one million are EU residents, and the majority of these are Romanian. Of the remaining three million legal residents from non-EU countries, approximately one million are Muslim. The result is that there are almost 7 foreigners in every 100 Italians, slightly over the EU average, although the ratio increases to 10 in Rome and 14 in Milan. Since 1986, Italy has undertaken five ""regularizations,"" granting more than one million residence permits to previously irregular migrants. Estimates of the current number of irregular immigrants range from half a million to 650,000 and higher, although no one knows for sure.

15. (SBU) Irregular labor market. According to Caritas, a Catholic charity that provides government-funded support to immigrants, two-thirds of Italy's immigrants are working in Italy's industrialized north. Most work in small firms. The balance engage in family care throughout Italy and in seasonal agricultural work predominantly in the south. The Italian research institute IMSU recently completed an in-depth survey of the immigration situation in the region of Lombardy, including Milan, which illustrates this employment

picture. In 2008, there were just over one million immigrants in Lombardy, a 13 percent increase since 2007. Half of this population is estimated to be irregular and these persons work in the following sectors: 14.6 percent as industry laborers; 13.1 percent as construction workers; 9.8 percent in the restaurant/hotel industry; 7.1 percent as domestics on an hourly basis; and 6.5 percent as live-in domestics.

¶6. (SBU) Boat migrants. One small slice of the illegal immigrant population is well-documented: the approximately 15 percent who make their way from Africa across the Mediterranean in flimsy and overcrowded boats. The IOM registered the arrival of 31,236 persons by boat to Lampedusa in 2008. The Interior Ministry records a total number of 36,951 persons arriving by boat to the southern Italian regions of Apulia, Sardinia, Sicily (including Lampedusa) and Calabria in 2008. By contrast the number of persons arriving by boat recorded by the Interior Ministry in 2007 was 20,455 -- a 75 percent increase from one year to the next. According to the IOM, the major source countries of the arrivals in Lampedusa in 2008 were Tunisia (6,799), Nigeria (6,070), Somalia (4,106), Eritrea (3,374), Morocco (2,032), Ghana (1,802), and Palestine (833). Significantly, the number of Tunisians arriving in Lampedusa jumped by nearly six thousand persons in 2008. According to UNHCR, 31,200 persons requested asylum in Italy in 2008; some 8,000 were granted asylum. This represents an almost 30 percent increase in asylum requests since 2005.

¶7. (C) Sea crossing. Nearly all of the persons arriving by boat in Lampedusa departed from Libya. NGOs who work with immigrants report that traffickers tell the boat migrants to head for an ENI oil rig platform. Upon arrival at the

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platform, they are told to head due north to Lampedusa. Each year 120,000 persons out of 450,000 immigrants to Europe are estimated to cross the Mediterranean by boat, and no one knows for sure how many die in the attempt. In the first quarter of 2009, hundreds of refugees have continued to arrive by boat each week in Lampedusa. Although all states are required under international law to render assistance to refugees in distress, there is a presumption in Italy that the Italian border police undertake the lion's share of the response to distress calls, a perception shared by NGOs. One former member of the Carabinieri who worked for Interpol told us that when FRONTEX, the EU border control agency, receives reports of boats in distress, all governments in the region are notified, but only the Italians regularly take active steps to rescue the migrants. During a visit to Malta in February, a member of the Armed Forces of Malta told us the AFM responds to distress calls within its limited capacity, but admitted if the boat is deemed seaworthy the AFM points the migrants toward Lampedusa.

¶8. (C) Overstayers. Government and NGO officials tell us, however, that the majority of irregular immigrants enter Italy with a visa and then overstay. Italian border police chief Rodolfo Ronconi asserted that 57 percent of immigrants who enter Italy with a visa overstay. Most arrive through the land border in the northeast but also through air and sea ports. Vincenzo Delicato, a senior director of the National Police, told us that these illegal immigrants are primarily from Morocco, Albania, China, Ukraine and the Philippines. He explained that the border police do not screen EU residents and conduct only spot checks on non-EU residents. Interior Ministry statistics for 2008 record 70,625 ""stranieri rintracciati"" (or ""tracked foreigners,"" an implicit acknowledgement of a population of untracked foreigners), of whom only 24,234 were repatriated. The remaining 46,931 were considered not in compliance with expulsion orders. The 2007 statistics are comparable. Other government statistics indicate that only 20 percent of illegal immigrants subject to an expulsion order are actually repatriated. For example, in Milan in 2007, only 653 persons

out of 3,088 subject to an expulsion order were in fact repatriated.

19. (C) Insufficient capacity. There are several explanations for this large presence of irregular immigrants.

First, according to the vice president of immigration for Caritas, Le Quyen Ngo Dinh, "Italy does not really know how they arrive and how many they are," meaning that most visitors are not subject to border control or judicial review. Second, for those who come into contact with the state and are judged as irregular, Italy has limited detention space: nationwide there are 10 centers of identification and expulsion, with a capacity of fewer than 3,000 beds, and a handful of "welcome" centers near southern Italian seaports to screen immigrants arriving by boat. The result is that Italy cannot detain all those subject to expulsion order, which means many of them simply fail to comply. Moreover, some of those expelled return, gambling correctly that they can again slip through Italy's porous borders, including 1,500 miles of coastline. Third, many governments of source countries refuse to cooperate with Italian authorities in identifying undocumented immigrants. These individuals can still be subject to expulsion orders but cannot be repatriated without an identity. Fundamentally, argues Ngo Dinh, Italy lacks the structural capacity to manage the large numbers of illegal migrants to the country. As Paolo Ciani, who helps immigrants for the Italian charity Sant'Egidio, said simply: "Not only is the government policy (dealing with immigrants) morally wrong, it's ineffective."

DIBBLE

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